

AMENDED IN ASSEMBLY APRIL 21, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 401**

**Introduced by Assembly Member Goldberg**

February 15, 2005

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~~An act to amend the heading of Chapter 4 (commencing with Section 33500) of Part 20 of, and to add Article 8 (commencing with Section 33610) to Chapter 4 of Part 20 of, the Education Code, relating to education and workforce preparation. An act to add Section 60049 to the Education Code, relating to instructional materials.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 401, as amended, Goldberg. ~~Education and Workforce Council.~~ *Supplementary instructional materials: English language learners.*

*Existing law, the Budget Act of 2004, provides \$30,000,000 on a one-time basis to provide supplemental instructional materials specifically for English language learners in kindergarten and grades 1 to 12, inclusive, as prescribed. The Budget Act of 2004 requires that those funds be available for encumbrance by local education agencies until June 30, 2006.*

*This bill would require the Superintendent of Public Instruction to allocate funding to school districts, without regard to encumbrance by a specified date, to provide supplementary instructional materials specifically for English language learners in kindergarten and grades 1 to 12, inclusive, for the purpose of accelerating those pupils as rapidly as possibly toward grade level proficiency. The bill would require that the supplementary instructional materials be designed to help English language learners become proficient in reading, writing, and speaking English and would authorize their use only in addition*

*to the standards-aligned materials adopted by the State Board of Education under existing law.*

~~Existing law establishes various state educational commissions and committees, and various workforce preparation programs, including the activities of the State Job Training Coordinating Council.~~

~~Existing federal law establishes the federal Workforce Investment Act of 1998, to provide workforce investment activities, as specified. That act authorizes the Governor to reserve for statewide workforce investment activities not more than 15% of specified funds allotted to the state by the act.~~

~~This bill would establish the Education and Workforce Council within the state government, with specified membership, to be chaired by the Superintendent of Public Instruction.~~

~~The bill would require the council to develop a workforce preparation and strategic plan by December 31, 2006, to update the plan biennially thereafter, and to provide policy guidance to the Legislature and to the Governor on emerging issues of workforce development. The bill would also require the council to recommend annually to the Governor the workforce investment activities that should receive funding from the amounts reserved by the Governor from the state's allotment from the federal Workforce Investment Act of 1998.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. The heading of Chapter 4 (commencing with~~  
2     ~~Section 33500) of Part 20 of the Education Code is amended to~~  
3     ~~read:~~  
4     ~~SECTION 1. Section 60049 is added to the Education Code,~~  
5     ~~to read:~~  
6     ~~60049. The Superintendent shall allocate funding to school~~  
7     ~~districts to provide supplementary instructional materials~~  
8     ~~specifically for English language learners in kindergarten and~~  
9     ~~grades 1 to 12, inclusive, for the purpose of accelerating those~~  
10    ~~pupils as rapidly as possibly toward grade level proficiency. The~~  
11    ~~supplementary instructional materials shall be designed to help~~  
12    ~~English language learners become proficient in reading, writing,~~  
13    ~~and speaking English and may only be used in addition to the~~

1 *standards-aligned materials adopted by the State Board of*  
2 *Education pursuant to Section 60605.*

3 ~~CHAPTER 4. STATE EDUCATIONAL COMMISSIONS~~  
4 ~~, COMMITTEES, AND COUNCILS~~

6 SEC. 2. ~~Article 8 (commencing with Section 33610) is added~~  
7 ~~to Chapter 4 of Part 20 of the Education Code, to read:~~

9 ~~Article 8. Education and Workforce Council~~

11 ~~33610. (a) There is in the state government the Education~~  
12 ~~and Workforce Council, which shall be chaired by the~~  
13 ~~superintendent.~~

14 ~~(b) The purposes of the council are both of the following:~~

15 ~~(1) To develop and reach consensus on a vision, goals, and~~  
16 ~~strategies to ensure that the state's education system produces the~~  
17 ~~skilled workforce needed for the state's economic development.~~

18 ~~(2) To provide a forum for discussion and resolution of policy~~  
19 ~~issues on the alignment of education and workforce preparation.~~

20 ~~33611. (a) The council shall be composed of all of the~~  
21 ~~following:~~

22 ~~(1) The superintendent.~~

23 ~~(2) Two cabinet-level officers appointed by the Governor, one~~  
24 ~~of whom shall represent K-12 education and one of whom shall~~  
25 ~~represent workforce preparation and development.~~

26 ~~(3) The President of the University of California.~~

27 ~~(4) The Chancellor of the California State University.~~

28 ~~(5) The Chancellor of the California Community Colleges.~~

29 ~~(b) The members of the council shall serve in an ex officio~~  
30 ~~capacity, and shall serve without compensation, except that they~~  
31 ~~shall receive their actual and necessary expenses incurred in the~~  
32 ~~performance of their duties and responsibilities, including travel~~  
33 ~~expenses.~~

34 ~~(c) The deputy superintendent who is assigned to the~~  
35 ~~Curriculum and Instruction Branch of the department, or another~~  
36 ~~designee of the superintendent, shall serve as the executive~~  
37 ~~director of the council. Council members shall provide other~~  
38 ~~support staff, as needed, from existing state personnel, none of~~  
39 ~~whose positions may be dedicated solely to council work.~~

40 ~~33612. The council shall do both of the following:~~

1 ~~(a) (1) Develop a workforce preparation and strategic plan by~~  
2 ~~December 31, 2006, and update the plan biennially thereafter.~~

3 ~~(2) The plan required by paragraph (1) shall provide a~~  
4 ~~blueprint of the manner in which California will synchronize its~~  
5 ~~education system with economic development planning and~~  
6 ~~improve the supply of an appropriately skilled and educated~~  
7 ~~workforce.~~

8 ~~(3) In developing the plan, the council shall do all of the~~  
9 ~~following:~~

10 ~~(A) Use a broad-based collaborative planning process~~  
11 ~~involving input from key stakeholders.~~

12 ~~(B) Consider economic and labor market analyses developed~~  
13 ~~by the Labor Market Information Division of the California~~  
14 ~~Employment Development Department and by the California~~  
15 ~~Economic Strategy Panel.~~

16 ~~(C) Consider best practices from other education and~~  
17 ~~workforce development systems, including those in other states~~  
18 ~~and countries.~~

19 ~~(b) Provide policy guidance to the Legislature and to the~~  
20 ~~Governor on emerging issues of workforce development.~~

21 ~~33613. In order to ensure that funding from the amounts~~  
22 ~~reserved by the Governor for workforce investment activities~~  
23 ~~from the state's allotment from the federal Workforce Investment~~  
24 ~~Act of 1998 (29 U.S.C. Sec. 2801 et seq.) begins by July 1 of~~  
25 ~~each year, the council, by April 1, 2006, and each April 1~~  
26 ~~annually thereafter, shall recommend to the Governor the~~  
27 ~~workforce investment activities that should receive that funding.~~